

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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SAWSAAN TABBAA, HASSAN SHIBLY,
KAREMA ATASSI, ASMAA ELSHINAWY,
and GALEB RIZEK,

Plaintiffs,

-versus-

MICHAEL CHERTOFF, Secretary of the United
States Department of Homeland Security;
ROBERT C. BONNER, Commissioner of the
United States Customs and Border Protection;
MICHAEL D'AMBROSIO, Director of Field
Operations in Buffalo, United States Customs
and Border Protection; JOSEPH J. WILSON,
Buffalo Port Director for the United States
Customs and Border Protection,

Defendants.
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**DECLARATION OF
PLAINTIFF KAREMA
ATASSI**

05 Civ. 582 (S)(F)

DECLARATION OF KAREMA ATASSI

I, Karema Atassi, in accordance with the provisions of 28 U.S.C. §1746, declare as follows:

1. I am a plaintiff in the case *Tabbaa v. Chertoff*, 05 Civ. 582, pending in the Federal District Court for the Western District of New York.
2. I was born in New York City in 1982. I currently live in Amherst, NY. I study school counseling in the graduate program at the School of Education at the University at Buffalo. I have a husband and one child.
3. I attended the Reviving the Islamic Spirit (RIS) Conference last year from December 25-26. I previously attended the RIS Conference in January 2004. I like attending this annual event, which brings together well known Islamic scholars from around the world.
4. I attended the December 2004 conference to learn more about my religion. I particularly liked the theme of last year's conference, which focused on peace,

unity, and understanding between non-Muslims and Muslims.

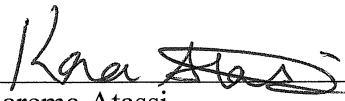
5. I looked forward to listening to Islamic scholars teach us about our faith at the RIS Conference. I remember really enjoying the lecture by Sheik Hamza Yusuf. I also enjoyed one very powerful lecture about the Prophet Mohammad's last days before he died. We learned about the Prophet's final moments, what he said to the people, and who was next to him when he died. Many of the audience members cried with emotion during this presentation.
6. I consider my attendance at the RIS Conference to be part of my religious practice. The communal prayers, in particular, represent a special part of the RIS Conference experience. The prayers were like a mini-hajj, a pilgrimage. The communal prayers at the RIS Conference were similar to when a Muslim goes on hajj and everyone's united and prays together regardless of their race, income, or nationality. The prayers were very diverse, and everyone was together. There was a strong sense of spiritual unity.
7. I also attended last year's RIS Conferences to participate in its cultural activities. I shopped at the bazaar, ate really good food, and met other interesting Muslims. I bought a red abaya, a traditional Islamic dress, at the bazaar, which I wore at this year's Eid celebration. I also bought some CD's, including recordings of the lectures at the conference. The RIS Conference is a good time away from home during my winter break.
8. I left Toronto and the RIS Conference on December 26, 2004. I had in the car with me my husband, mother, younger brother, seven month old son, and a friend. Everyone in the car held United States citizenship. We arrived at the Lewiston border crossing at approximately 11:30PM. I was wearing a hijab, and my husband drove our car.
9. When we arrived at the border, an officer asked us for identification. We all showed the border officer our United States passports. The border officer then asked us where we had been in Canada. My husband replied that we attended an Islamic conference. The border officer asked, "at the SkyDome?" My husband replied that yes, we had attended the RIS Conference at the SkyDome. The border officer then ordered us to pull the car over and enter a nearby building. The officer took away our passports.
10. When I entered the building, I immediately noticed the other Muslims in the room. I recognized some of them from the RIS Conference. I felt surprised and shocked to see so many Muslims in the room.
11. I waited between 2-3 hours before anyone told me what I had to do next. No one provided us with any explanation of why we had been placed in detention. When

border officers finally did speak to us, we found them to be rude. One of the officers actually told us that we had no rights at the border.

12. During this time, the room was overcrowded. I had to sit on a metal table because I could not find any chairs to sit on.
13. Once a border officer finally spoke to me, the officer told me to fill out a card. While I filled it out, the officer questioned me about my past travels and my relationship to the other vehicle occupants. The border officer also asked me about the RIS Conference. The officer asked me questions about what the conference had been about and why I had attended it.
14. After about an hour, a border officer called my name and ordered me to enter a separate room to be frisked, fingerprinted, and photographed. I felt very uncomfortable. First, a border officer told me to take my shoes off and put my hands on the wall. The officer patted me down. Then the officer directed me to a electronic machine to have my fingerprints taken. I didn't want to be fingerprinted but I felt that I had no choice. I have eczema on my hands, and the border officer made several attempts before she could capture my fingerprints. She then took my photograph. I had no idea that the officer was about to take my picture. I complied with everything she ordered me to do because I knew that I would be held indefinitely if I didn't comply with her orders.
15. While I waited inside the building, I could see through the glass window border officers searching my car.
16. After the frisking, fingerprinting and photographing, I waited for another hour or two. Border officers finally released me at approximately 4:30AM. The officers gave us no reason or explanation as to why we had been detained or even why we had been released.
17. I never thought that something like this would happen to me in my own country, the United States. I am still shocked about what happened to me and my family last year.
18. I want to attend the next RIS Conference. I want to learn from the Islamic scholars at the conference. Unfortunately, I have a conflict with this year's RIS Conference and will be overseas at the time. But I do plan on attending future RIS Conferences. I am worried, though, that I will be subjected to the same treatment again by the government.
19. I am also very worried about what happened to my fingerprints and photograph. I'm worried that my information was placed in some sort of government list. I'm concerned that this list will be used against me in the future and that the government

will use it to target me. I study school counseling and plan on working with children. I am very worried that now I will be on some sort of list that will prevent me from working in the future. I want all of the information obtained from me during last year's border detention to be destroyed forever.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 10, 2005.


Karema Atassi

CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2005, I served by email and United States First Class Mail the attached Declaration of Plaintiff Karema Atassi, on the following counsel of record:

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